

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	: CRIMINAL NO. <u>03-</u>
v.	: DATE FILED: _____
BRET SOBOLEWSKI and BENJAMIN COTTMAN	: VIOLATIONS: 18 U.S.C. § 371 (Conspiracy – 1 count); : 18 U.S.C. § 2113(a) (Bank Robbery - 7 : counts); : 18 U.S.C. § 2 (Aiding and abetting)

**INDICTMENT**

**COUNT ONE**

THE GRAND JURY CHARGES THAT:

1. From on or about September 21, 2003 through on or about October 24, 2003, in the Eastern District of Pennsylvania and elsewhere, defendants

BRET SOBOLEWSKI and  
BENJAMIN COTTMAN

conspired and agreed to commit bank robberies, in violation of Title 18, United States Code, Section 2113(a).

**MANNER AND MEANS**

It was part of the conspiracy that:

2. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN agreed

to commit the following robberies:

<u>Date</u>	<u>Bank</u>	<u>Location</u>
September 21, 2003	Commerce Bank	2563 S. 5 <sup>th</sup> Street, Philadelphia, Pennsylvania
September 26, 2003	Commerce Bank	2201 South Broad Street, Philadelphia, Pennsylvania
October 4, 2003	Commerce Bank	969 Baltimore Pike, Springfield, Pennsylvania
October 10, 2003	Commerce Bank	2600 McDade Blvd., Glenolden, Pennsylvania
October 15, 2003	Commerce Bank	657 Conchester Hwy., Upper Chichester, Pennsylvania
October 21, 2003	Commerce Bank	8301 Henry Avenue, Philadelphia, Pennsylvania
October 22, 2003	Commerce Bank	1235 Blackwood Road, Clementon, New Jersey
October 24, 2003	PNC Bank	501 Chester Pike, Prospect Park, Pennsylvania.

3. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN used a demand note that threatened use of violence, that is, use of guns and/or bombs.

4. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN retained the bank robbery notes and did not give them to the tellers during the bank robberies.

5. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN used a stolen car to drive to and from the banks to avoid detection and prevent observers from tracing their whereabouts.

6. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN partially concealed their features by wearing hats, glasses, and wigs.

7. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN stayed in

various hotel and motel rooms, including the Extended Stay America hotel, located at 9000 Tinicum Boulevard, Philadelphia, Pennsylvania, during their bank robbery scheme, paying cash for the rooms out of their bank robbery proceeds.

8. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN spent their bank robbery proceeds on drugs and clothing for themselves and others known to the grand jury. When their supplies of cash ran low, they planned and committed another bank robbery.

#### OVERT ACTS

In furtherance of the conspiracy, and to accomplish its object, the following overt acts, among others, were performed within the Eastern District of Pennsylvania:

On or about September 21, 2003:

1. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN drove to the Commerce Bank, located at 2563 S. 5<sup>th</sup> Street, Philadelphia, Pennsylvania.

2. Defendant BRET SOBOLEWSKI entered the Commerce Bank with a demand note.

3. Defendant BRET SOBOLEWSKI presented his demand note to the teller and demanded that the bank teller give him money.

4. Defendant BRET SOBOLEWSKI took United States currency totaling approximately \$5,202 belonging to the Commerce Bank and left the bank.

5. Defendant BRET SOBOLEWSKI got into a vehicle driven by defendant BENJAMIN COTTMAN and drove away.

On or about September 26, 2003:

6. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN drove to

the Commerce Bank, located at 2201 South Broad Street, Philadelphia, Pennsylvania.

7. Defendant BRET SOBOLEWSKI entered the Commerce Bank with a demand note.

8. Defendant BRET SOBOLEWSKI presented his demand note to the teller and demanded that the bank teller give him money.

9. Defendant BRET SOBOLEWSKI took United States currency totaling approximately \$2,000 belonging to the Commerce Bank and left the bank.

10. Defendant BRET SOBOLEWSKI got into a vehicle driven by defendant BENJAMIN COTTMAN and drove away.

On or about October 2, 2003:

11. Defendant BENJAMIN COTTMAN, in the company of two others known to the grand jury, stole a white Sebring vehicle, New Jersey tag number NLN17J, from the Dollar Rent-a-Car lot, located at 8800 Essington Avenue, Philadelphia, Pennsylvania, to use in the continuing bank robbery scheme.

On or about October 4, 2003:

12. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN drove to the Commerce Bank, located at 969 Baltimore Pike, Springfield, Delaware County, Pennsylvania.

13. Defendant BRET SOBOLEWSKI entered the Commerce Bank with a demand note.

14. Defendant BRET SOBOLEWSKI presented his demand note to the teller and demanded that the bank teller give him money.

15. Defendant BRET SOBOLEWSKI took United States currency totaling approximately \$3,600 belonging to the Commerce Bank and left the bank.

16. Defendant BRET SOBOLEWSKI got into a vehicle driven by defendant BENJAMIN COTTMAN and drove away.

On or about October 10, 2003:

17. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN drove to the Commerce Bank, located at 2600 McDade Boulevard, Glenolden, Delaware County, Pennsylvania.

18. Defendant BRET SOBOLEWSKI entered the Commerce Bank with a demand note.

19. Defendant BRET SOBOLEWSKI presented his demand note to the teller and demanded that the bank teller give him money.

20. Defendant BRET SOBOLEWSKI took United States currency totaling approximately \$2,786 belonging to the Commerce Bank and left the bank.

21. Defendant BRET SOBOLEWSKI got into a vehicle driven by defendant BENJAMIN COTTMAN and drove away.

On or about October 15, 2003:

22. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN drove to the Commerce Bank, located at 657 Conchester Highway, Upper Chichester, Delaware County, Pennsylvania.

23. Defendant BENJAMIN COTTMAN entered the Commerce Bank to first check out the status of the bank's interior. After asking for change at a teller counter, he left the

bank, returning to the vehicle where defendant BRET SOBOLEWSKI waited.

24. Defendant BRET SOBOLEWSKI entered the Commerce Bank with a demand note.

25. Defendant BRET SOBOLEWSKI presented his demand note to the teller and demanded that the bank teller give him money.

26. Defendant BRET SOBOLEWSKI took United States currency totaling approximately \$4,500 belonging to the Commerce Bank and left the bank.

27. Defendant BRET SOBOLEWSKI got into a vehicle driven by defendant BENJAMIN COTTMAN and drove away.

On or about October 21, 2003:

28. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN drove to the Commerce Bank, located at 8301 Henry Avenue, Philadelphia, Pennsylvania.

29. Defendant BENJAMIN COTTMAN entered the Commerce Bank with a demand note.

30. Defendant BENJAMIN COTTMAN presented his demand note to the teller and demanded that the bank teller give him money.

31. Defendant BENJAMIN COTTMAN took United States currency totaling approximately \$1,675 and a dye pack belonging to the Commerce Bank and left the bank.

32. When the dye pack exploded, defendant BENJAMIN COTTMAN discarded the now-stained United States currency along with his shirt and left it in the street.

33. Defendant BENJAMIN COTTMAN got into a vehicle driven by defendant BRET SOBOLEWSKI and drove away.

34. Defendant BENJAMIN COTTMAN gave dye-stained clothing to a person known to the grand jury with instructions for that person to dispose of the clothing.

On or about October 24, 2003:

35. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN drove to PNC Bank, located at 501 Chester Pike, Prospect Park, Delaware County, Pennsylvania.

36. Defendant BENJAMIN COTTMAN entered the PNC Bank, stayed briefly and exited.

37. Defendant BRET SOBOLEWSKI then joined defendant BENJAMIN COTTMAN and the two entered the PNC Bank together, each with a demand note.

38. Defendant BENJAMIN COTTMAN presented his demand note to the teller and demanded that the bank teller give him money.

39. Defendant BRET SOBOLEWSKI presented his demand note to the teller and demanded that the bank teller give him money.

40. Defendants BRET SOBOLEWSKI and BENJAMIN COTTMAN took United States currency totaling approximately \$4,029 belonging to the PNC Bank and left the bank.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 21, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

BRET SOBOLEWSKI and  
BENJAMIN COTTMAN

knowingly and unlawfully took, and aided and abetted the taking of, from employees of the Commerce Bank, located at 2563 S. 5<sup>th</sup> Street, in Philadelphia, Pennsylvania, money, that is, approximately \$5,202 in United States currency, belonging to, and in the care, custody, control, management, and possession of, the Commerce Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Sections 2113(a) and 2.



COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 26, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendants

BRET SOBOLEWSKI and  
BENJAMIN COTTMAN

knowingly and unlawfully took, and aided and abetted the taking of, from employees of the Commerce Bank, located at 2201 South Broad Street, in Philadelphia, Pennsylvania, money, that is, approximately \$2,000 in United States currency, belonging to, and in the care, custody, control, management, and possession of, the Commerce Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Sections 2113(a) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 4, 2003, at Springfield, Delaware County, in the Eastern  
District of Pennsylvania, defendants

BRET SOBOLEWSKI and  
BENJAMIN COTTMAN

knowingly and unlawfully took, and aided and abetted the taking of, from employees of the  
Commerce Bank, located at 969 Baltimore Pike, Springfield, Pennsylvania, money, that is,  
approximately \$3,600 in United States currency, belonging to, and in the care, custody, control,  
management, and possession of, the Commerce Bank, the deposits of which were insured by the  
Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Sections 2113(a) and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 10, 2003, at Glenolden, Delaware County, in the Eastern District of Pennsylvania, defendants

BRET SOBOLEWSKI and  
BENJAMIN COTTMAN

knowingly and unlawfully took, and aided and abetted the taking of, from employees of the Commerce Bank, located at 2600 McDade Boulevard, Glenolden, Pennsylvania, money, that is, approximately \$2,786 in United States currency, belonging to, and in the care, custody, control, management, and possession of, the Commerce Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Sections 2113(a) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 15, 2003, at Upper Chichester, Delaware County, in the Eastern District of Pennsylvania, defendants

BRET SOBOLEWSKI and  
BENJAMIN COTTMAN

knowingly and unlawfully took, and aided and abetted the taking of, from employees of the Commerce Bank, located at 657 Conchester Highway, Upper Chichester, Pennsylvania, money, that is, approximately \$4,500 in United States currency, belonging to, and in the care, custody, control, management, and possession of, the Commerce Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Sections 2113(a) and 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 21, 2003, at Philadelphia, in the Eastern District of  
Pennsylvania, defendants

BRET SOBOLEWSKI and  
BENJAMIN COTTMAN

knowingly and unlawfully took, and aided and abetted the taking of, from employees of the  
Commerce Bank, located at 8301 Henry Avenue, Philadelphia, Pennsylvania, money, that is,  
approximately \$1,675 in United States currency, belonging to, and in the care, custody, control,  
management, and possession of, the Commerce Bank, the deposits of which were insured by the  
Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Sections 2113(a) and 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 24, 2003, at Prospect Park, Delaware County, in the Eastern District of Pennsylvania, defendants

BRET SOBOLEWSKI and  
BENJAMIN COTTMAN

knowingly and unlawfully took, and aided and abetted the taking of, from employees of the PNC Bank, located at 501 Chester Pike, Prospect Park, Pennsylvania, money, that is, approximately \$4,029 in United States currency, belonging to, and in the care, custody, control, management, and possession of, the Commerce Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Sections 2113(a) and 2.

A TRUE BILL:

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FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney